ZONING ADMINISTRATOR **AGENDA STATEMENT**



Item: _____ Meeting Date: 09/24/20

PUBLIC HEARING DR19-0007: Consideration of a one-story 3,887 square-foot automated carwash building with vacuum stations on a 0.93 acre vacant site located at the corner of Main Street & 7th Street.

PUBLIC HEARING CUP19-0004: Consideration to allow the use of a one-story 3,887 square-foot automated carwash building with vacuum stations on a 0.93 acre vacant site located at the corner of Main Street & 7th Street.

SUBMITTED BY Caroline Young, Associate Planner

INTRODUCTION

On April 9, 2019, that Applicant filed applications for a permit to construct a one-story 3,887 square-foot automated carwash building with vacuum stations on a 0.93 acre vacant site located at the corner of Main Street & 7th Street (See Attachment 1, Locator Map).

All property owners within 500 feet of the subject property were given notice of the application and no public comments were received.

ENVIRONMENTAL REVIEW

The Director of Development Services has reviewed the Project for compliance with the California Environmental Quality Act (CEQA) and has determined that the Project qualifies for a categorical exemption pursuant to Section 15332 of the State CEQA Guidelines. Thus, no further environmental review is required.

RECOMMENDATION

Approve the application for the Design Review and Conditional Use Permit to construct a one-story 3,887 square-foot automated carwash building with vacuum stations based on the information contained in the applications, this report, and notice of decisions.

DISCUSSION

Project Site Characteristics:

The 0.93-acre project site is a vacant parcel associated with the Otay River Business Park Development subdivision. This parcel is located at the corner of Main Street and 7th Avenue within the current overall property of the subdivision. Lots are currently being subdivided to provide individual lots to future tenants.

The topography of the site is essentially flat and surrounded by the existing commercial, industrial uses, as well as multi-family homes located to the west across 7th Avenue, and a single-family home to the north across Main Street.

Project Description:

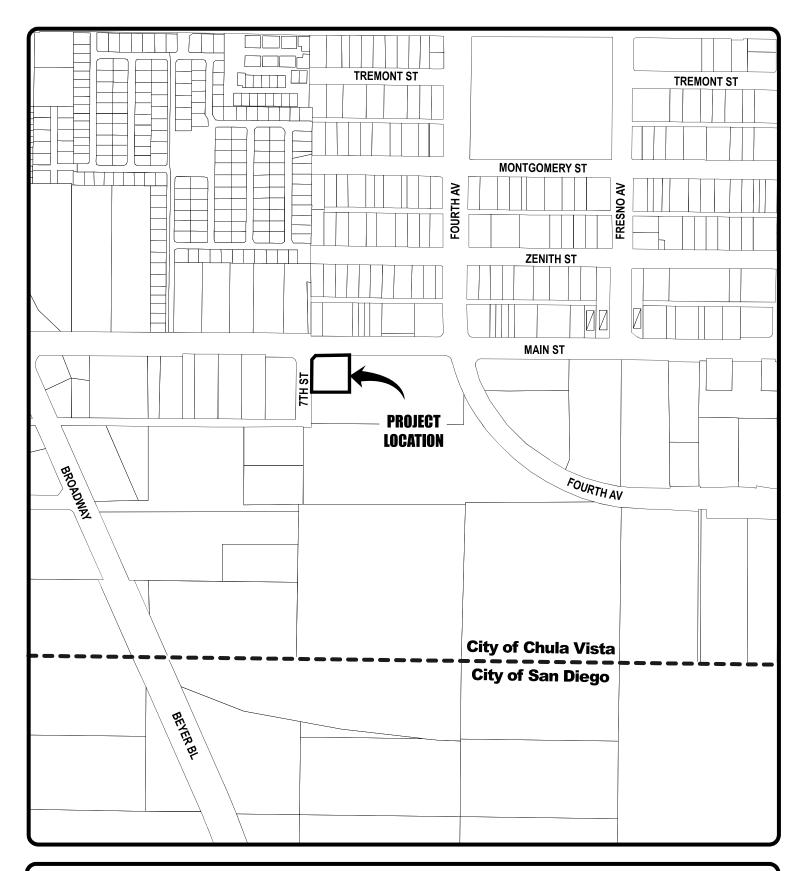
The project consists of a one-story 3,887 square-foot automated carwash building with vacuum stations located within the parking lot. The proposed building consists of a 111-ft. carwash tunnel with and blowers at the end of the carwash tunnel to dry the vehicles. There are also restrooms, vending machines, office space, and an equipment room for the carwash. Customers may access the site through two driveways on Main Street or 7th Avenue and loop around to the eastern portion of the site to the pay stations. Customers will select their desired carwash selection, pay for the carwash, and then proceed to drive their vehicle through the carwash tunnel. Customers do not exit their vehicles. They also have the option to use a vacuum station to vacuum their vehicles. A canopy extending the full length of the parking spaces provides shade for the vacuum stations.

CONCLUSION

Based on the information contained in the application and notice of decisions, staff recommends the Zoning Administrator approve applications DR19-0007 and CUP19-0004.

ATTACHMENTS

- 1 Locator Map
- 2 DR19-0007 Notice of Decision
- 3 CUP19-0004 Notice of Decision



CHULA VISTA DEVELOPMENT SERVICES DEPARTMENT LOCATOR PROJECT APPLICANT: Super Star Carwash PROJECT ADDRESS: Corner of 7th St. & Main St. SCALE: FILE NUMBER: PROJECT DESCRIPTION: DESIGN REVIEW/CONDITIONAL USE PERMIT Project Summary: Proposed self-service carwash "Super Star Carwash" and associated improvements. Located at 1720 Fourth Avenue.

Related cases: CUP19-0004

DR19-0007

NORTH

No Scale



DRAFT ZONING ADMINISTRATOR

NOTICE OF DECISION

Date: September 24, 2020 Applicant: Superstar Carwash

Case No.: DR19-0007

Address: Corner of Main Street & 7th Street (APN 629-030-04-00)

Project Planner: Caroline Young

Notice is hereby given that on September 24, 2020, the Zoning Administrator considered Design Review (DR) application DR19-0007, filed by Superstar Carwash ("Applicant"). The Applicant requests approval of the construction of a one-story 3,887 square-foot automated carwash building with vacuum stations on a 0.93 acre site. The Project is located on a vacant parcel at the corner of Main Street & 7th Street ("Project Site") and is owned by Otay River Business Park Development LLC ("Property Owner"). The Project Site is zoned PA1 in the Otay River Business Park Specific Plan and has a General Plan designation of Limited Industrial (ILP). The Project is more specifically described as follows:

The Project is requesting to construct allow a one-story 3,887 square-foot automated carwash building with vacuum stations located within the parking lot. The proposed building consists of a 111-ft. carwash tunnel with blowers at the end of the carwash tunnel to dry the vehicles. There are also restrooms, vending machines, office space, and an equipment room for the carwash. Customers may access the site through two driveways on Main Street or 7th Avenue and loop around to the eastern portion of the site to the pay stations. Customers will select their desired carwash selection, pay for the carwash, and then proceed to drive their vehicle through the carwash tunnel. Customers do not exit their vehicles. They also have the option to use a vacuum station to vacuum their vehicles. A canopy extending the full length of the parking spaces provides shade for the vacuum stations.

The carwash building will incorporate enhanced architectural features such as tower features, columns, metal awnings, flat roof, wainscot, and building colors that are consistent with the design standards for the subdivision. The exterior of the building will be painted with two contrasting colors to provide interest. The colors of the building will be "Snowfall" and "Champagne" with a "Grizzly Grey" color for the trim along the building. A "Tuscan Sun" color will be provided around the roofline. The columns and tower features will be painted with a "Grizzle Grey", "Snowfall", and "Chelsea Grey" color to further provide contrast from the building colors. Several "red" colored metal awnings will be provided on two sides of the building elevation. Window trim will also have a "pomegranate" color to provide an additional accent color to the building.

The vacuum canopies will be painted "red" to match the accent color on the building. The vacuum canopies will be 11-ft. in height and will placed within the parking lot. Required parking is provided on site with twenty-eight (28) off-street parking spaces.

The following Project Data Table shows the development regulations along with the Applicant's proposal to meet said requirements:

Assessor's Parcel Number:	629-030-04-00
Current Zoning:	PA1
General Plan Designation:	Limited Industrial (ILP)
Lot Area:	0.81-acres
PARKING REQUIRED:	PARKING PROPOSED:
Parking spaces, broken down as follows:	
	Handicapped= 1 space
One parking space per 200 sq. ft.	Regular spaces=27
3,887sq. ft. /200=20 spaces	
Total: 20 parking spaces	Total: 28 parking spaces
SETBACKS/HEIGHT REQUIRED:	SETBACKS/HEIGHT
	PROPOSED:
Front: 10 feet	16 feet
Interior Side: 0 feet	45 feet
Exterior Side: 10 feet	44 feet
Rear: 0 feet	134 feet
Height: 50 feet	28 feet (Building), 11 feet (Canopy)

The Director of Development Services has reviewed the Project for compliance with the California Environmental Quality Act (CEQA) and has determined that the Project qualifies for a categorical exemption pursuant to Section 15332 of the State CEQA Guidelines. Thus, no further environmental review is required.

The proposed Project is consistent with the development regulations of the Chula Vista Municipal Code, and the Otay River Business Park Specific Plan.

The Zoning Administrator, under the provisions of Section 19.14.582.C of the Chula Vista Municipal Code, has conditionally approved the Project subject to the following findings and conditions:

That the proposed development will be consistent with the City of Chula Vista's General Plan, Title 19 of the Municipal Code, and the Chula Vista Design Manual.

The Project is consistent with the City of Chula Vista's General Plan, Title 19 of the Municipal Code, and the Otay River Business Park Specific Plan. The building will incorporate design features including towers at each corner of the building, columns,

awnings, flat roof, and building colors that are consistent with the design standard for the subdivision. Parking is provided for staff and customers on the site. A trash enclosure will be constructed to meet code regulations. Street improvements including curb, gutter, and sidewalk will be provided along Main Street and 7th Street.

The design features of the proposed development are consistent with, and are a cost-effective method of satisfying, the City of Chula Vista's Otay River Business Park Specific Plan.

The Project's design features are a cost-effective method of satisfying, the Otay River Business Park Specific Plan. The landscape plan proposes landscape areas along both Main Street and 7th Street. Water efficient plants and water efficient irrigation system will be established to reduce the overall maintenance cost of the Project.

I. The following shall be accomplished to the satisfaction of the Director of Development Services, prior to issuance of building permits, unless otherwise specified:

Development Services Department:

1. Prior to approval by the City of Chula Vista for the use of the subject property in reliance on this approval, the Applicant/Representative and Property Owner shall execute this document by making a true copy of this letter of approval and signing both this original Notice of Decision and the copy on the lines provided below, said execution indicating that the Applicant/Representative and Property Owner have each read, understood and agreed to the conditions contained herein, and will implement same. Upon execution, the true copy with original signatures shall be returned to the Development Services Department. Failure to return the signed true copy of this document within 30 Days of the effective date herein shall indicate the Applicant/Representative and Property Owner's desire that the Project, and corresponding application for building/grading permits and/or business license, be held in abeyance without approval.

Signature of Applicant/Authorized Representative	Date
Print Name	
Signature of Property Owner/representative	Date
Print Name	

- 2. Prior to, or in conjunction with the issuance of the first building permit, the Applicant shall pay all applicable fees, including any unpaid balances of application processing fees for deposit account DDA-0424.
- 3. The colors and materials specified on the building plans shall be consistent with the colors and materials shown on the site plan and elevations approved by the Zoning Administrator on September 24, 2020.
- 4. A graffiti resistant treatment shall be specified for all wall and building surfaces and noted on any building and wall plans. Additionally, the Project shall conform to CVMC Section 9.20.055 regarding graffiti control. The Applicant shall remove all graffiti on a regular basis. The Applicant shall place a note to this effect on the building permit plans.
- 5. All roof appurtenances, including air conditioners and other roof mounted equipment and/or projections shall be shielded from view, and the sound buffered from adjacent properties and streets as required by the Director of Development Services. Such screening shall be architecturally integrated with the building design and constructed to the satisfaction of the Director of Development Services.
- 6. All ground mounted utility appurtenances such as transformers, AC condensers, etc., shall be located out of public view and adequately screened through the use of a combination of concrete or masonry walls, berming, and/or landscaping to the satisfaction of the Director of Development Services.
- 7. The Applicant shall obtain approval of a sign permit for each sign by the Development Services Department. Signs shall comply with all applicable requirements of the Municipal Code.

Land Development Division/Landscape Architecture Division:

- 8. The Applicant is required to apply for an Industrial Waste Discharge Permit which is regulated by the City of San Diego, Metropolitan Industrial Wastewater Control Program. Applications for a permit should be obtained from Metropolitan Industrial Wastewater Control Program.
- 9. The following fees will be required based on the Final Building Plans submitted. Please see reference to fee schedule at:
 - a. Sewer Connection and Capacity Fees
 - b. Traffic Signal Fees
 - c. Public Facilities Development Impact Fees (PFDIF)
 - d. Western Transportation Development Impact Fees (WTDIF)
 - e. Otay Valley Road Fee Recovery District Fees
 - f. Other Engineering Fees as applicable per referenced Master Fee Schedule.

- 10. Additional deposits or fees in accordance with the City Subdivision Manual, and Master Fee Schedule will be required for the submittal of the following items:
 - a. Construction Permit
 - b. Encroachment Permit
 - c. Grading Permit
- 11. All driveways shall conform to the City of Chula Vista's sight distance requirements in accordance with Section 18.32.080 of the Municipal Code. Also, landscaping, street furniture, or signs shall not obstruct the visibility of driver at the street intersections or driveways.
- 12. Proposed Fire Access Road shall meet H-20 Loading requirements or shall be designed for a Traffic Index (T.I.) of 5.
- 13. Demonstrate compliance with the current California Plumbing Code, minimum sewer grade (2%) from building to the sewer main.
- 14. Any private facilities, if applicable within public right-of-way or City easement will require an Encroachment Permit prior to Improvement Plan or building permit approval.
- 15. All construction sites are required to implement Construction BMPs in accordance with the performance standards outlined in Appendix K of the BMP Design Manual. In general:
 - a. For projects disturbing one (1) acre or more requires coverage under and compliance with the Construction General Permit (CGP), the construction BMPs must be identified in a Storm Water Pollution Prevention Plan (SWPPP).
 - b. For project that qualifies for an Erosivity Waiver under the CGP, a CSWPCP may be submitted in lieu of a SWPPP. However, if the Erosivity Waiver expires prior to project completion, the project applicant shall obtain a new Waste Discharge Identification number and submit a SWPPP.
- 16. A complete and accurate Notice-of-Intent (NOI) must be filed with the SWRCB for a project covered under the CGP. A copy of the acknowledgement from the SWRCB that a NOI has been received for this project shall be filed with the City of Chula Vista when received.
- 17. Projects shall comply with the requirements of the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Dischargers Associate with Industrial Activities (IGP) Order 2014-0057-DWQ.

- 18. All proposed sidewalks, walkways, pedestrian ramps, and disabled parking shall be designed to meet the City of Chula Vista Design Standards, ADA Standards, and Title 24 standards, as applicable.
- 19. Any private facilities (if applicable) within Public right-of-way or City easement will require an Encroachment Permit prior to Improvement Plan or Building Permit approval.
- 20. All utilities serving the subject property and existing utilities located within or adjacent to the subject property shall be under grounded in accordance with the Chula Vista Municipal Code Section. Further, all new utilities serving the subject property shall be under grounded prior to the issuance of Building Permits.
- 21. The Applicant shall submit landscape and irrigation (L&I) plans in accordance with the City's Landscape Water Conservation Ordinance (LWCO) (CVMC 20.12).

Fire Department Conditions:

- 22. The Applicant shall apply for required building permits and comply with applicable codes and requirements, including but not limited to: the current California edition of Building Code (CBC), Fire Code (CFC), and Mechanical Code.
- 23. For 3,887 square feet of Type VB construction, this project will require a fire flow of 1,500 gallons per minute for a 2-hour duration at 20 p.s.i.
- 24. Based upon the required fire flow for Type VB construction type, a minimum of 1 fire hydrant(s) are/is required to serve this project.
- 25. Fire apparatus access roads shall be provided for every facility or building and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building.

II. The following on-going conditions shall apply to the Project as long as it relies upon this approval.

- 1. The Applicant shall maintain the Project in accordance with the approved plans for DR19-0007, approved on September 24, 2020, which include site plan and architectural elevations on file in the Development Planning Division, the conditions contained herein, and Title 19.
- 2. Approval of this request shall not waive compliance with all sections of Title 19 of the Municipal Code, and all other applicable City Ordinances in effect at the time of building permit issuance.

- 3. The Applicant/Representative and Property Owner shall and does hereby agree to indemnify, protect, defend and hold harmless City, its City Council members, officers, employees and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorney's fess (collectively, liabilities) incurred by the City arising, directly or indirectly, from (a) City's approval and issuance of this Design Review approval, (b) City's approval or issuance of any other permit or action, whether discretionary or non-discretionary, in connection with the use contemplated herein, and Applicant/operator shall acknowledge their agreement to this provision by executing a copy of this Design Review approval where indicated below. The Applicant/Representative and Property Owner's compliance with this provision is an express condition of this permit and shall be binding on any, and all of Applicant/Operator's successors and assigns.
- 4. This Design Review approval shall become void and ineffective if not utilized within thirty-six (36) months from the effective date thereof, in accordance with Section 19.14.600 of the Municipal Code, unless an extension application is submitted within 30-days of the expiration date of September 24, 2023.

APPROVED BY ZONING ADMINISTRATOR OF THE CITY OF CHULA VISTA, CALIFORNIA, this 24th day of September 2020.

Scott D. Donaghe Zoning Administrator



DRAFT Zoning Administrator NOTICE OF DECISION

Date: September 24, 2020 Applicant: Superstar Carwash

Case No.: CUP19-0004

Address: Corner of Main Street & 7th Street (APN 629-030-04-00)

Project Planner: Caroline Young

Notice is hereby given that on September 24, 2020, the Zoning Administrator considered Conditional Use Permit (CUP) application CUP19-0004, filed by Superstar Carwash ("Applicant"). The Applicant requests to allow the use of a one-story 3,887 square-foot automated carwash building with vacuum stations on a 0.93 acres site. The Project is located on a vacant parcel at the corner of Main Street & 7th Street ("Project Site") and is owned by Otay River Business Park Development LLC ("Property Owner"). The Project Site is zoned PA1 in the Otay River Business Park Specific Plan and has a General Plan designation of Limited Industrial (ILP). The Project is more specifically described as follows:

The Project would allow for the use of a one-story 3,887 square-foot automated carwash building with vacuum stations located within the parking lot. The proposed building consists of a 111-ft. carwash tunnel with and blowers at the end of the carwash tunnel to dry the vehicles. There are also restrooms, vending machines, office space, and an equipment room for the carwash. Customers may access the site through two driveways on Main Street or 7th Avenue and loop around to the eastern portion of the site to the pay stations. Customers will select their desired carwash selection, pay for the carwash, and then proceed to drive their vehicle through the carwash tunnel. Customers do not exit their vehicles. They also have the option to use a vacuum station to vacuum their vehicles. A canopy extending the full length of the parking spaces provides shade for the vacuum stations.

The Director of Development Services has reviewed the Project for compliance with the California Environmental Quality Act (CEQA) and has determined that the Project qualifies for a categorical exemption pursuant to Section 15332 of the State CEQA Guidelines. Thus, no further environmental review is required.

The Zoning Administrator, under the provisions of Section 19.14.030.A of the Chula Vista Municipal Code (CVMC), has conditionally approved said request based upon the following findings of facts as required by CVMC Section 19.14.080.

1. That the proposed use at this location is necessary or desirable and will contribute to the general well being of the neighborhood or the community.

The proposed use of a carwash will provide a necessary amenity to the surrounding residential neighborhood. This use will allow residents to have another option to wash their vehicles. The carwash is for public use and will also contribute to the general well-being of the neighborhood and community. As proposed, the Project will not have any substantial impact on surrounding development due to design considerations that include providing a curved wall that extends beyond the carwash tunnel exit, so vehicles will exit to the south, further reducing noise and light impacts on adjacent properties. The carwash tunnel will have a solid roof cover to further reduce the noise. The Project is therefore in compliance with CVMC Section 19.68.

2. That such use will not under the circumstances of the particular case be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

The proposed use will not be detrimental to the health, safety or general welfare of the residents or to property or improvements in the area. The characteristics of the proposed use and its operation will not be detrimental since the Project is located within an industrial zone, and is surrounded by an apartment complex to the west, a single-family home and commercial use to the north, and commercial and industrial uses to the east. Future development to the south will also have commercial and industrial uses. The use will be subject to meeting all health, safety and general welfare standards and regulations set forth by the City of Chula Vista.

3. That the proposed use will comply with the regulations and conditions specified in the code for such use.

The granting of this Conditional Use Permit requires the Applicant and Property Owner to satisfy the conditions of approval and to comply with all applicable regulations and standards specified in the Chula Vista Municipal Code, California Building, Fire Code, and other applicable codes, for such use. Furthermore, the conditions of this Conditional Use Permit are approximately in proportion to the nature and extent of the impact created by the Project in that the conditions imposed are directly related to, and of a nature and scope related to the size and impact of the Project. The Project will comply with all regulations and conditions specified in the Zoning Code for uses established under CUP19-0004.

4. That the granting of this Conditional Use Permit will not adversely affect the General Plan of the City or the adopted plan of any government agency.

The General Plan designates the site as Limited Industrial (ILP). The PA1 zone is consistent with the General Plan designation. The use of a carwash is allowed through a Conditional Use Permit. Thus, the Project is consistent with the General Plan land use Limited Industrial (ILP) designation and will not adversely affect implementation of the General Plan.

Approval of CUP19-0004 is conditioned upon the following:

I. Within 60 days or prior to the issuance of any building permit, the applicant shall satisfy the following requirements:

1. The Property owner and the Applicant shall execute this document by making a true copy of this Notice of Decision and signing both this original notice and the copy on the lines provided below, said execution indicating that the Property Owner and Applicant have each read, understood and agreed to the conditions contained herein, and will implement same. Upon execution, the true copy with original signatures shall be returned to the Development Services Department. Failure to return the signed true copy of this document, within 30 days, to the Development Services Department shall indicate the Property Owner/Applicant's desire that the Project, and the corresponding applications for building permits and/or a business license, be held in abeyance without approval.

Signature of Applicant/Authorized Representative	Date
Print Name	
Signature of Property Owner/representative	Date
Print Name	

Development Planning Division Conditions:

- 2. The hours of operation shall be seven days a week from 7:00 a.m. to 9:00 p.m.
- 3. The Zoning Administrator shall have the authority to approve modifications to the hours of operation in accordance with Municipal Code regulations.

Land Development/Landscape Architecture Division Conditions:

- 4. The Applicant is required to apply for an Industrial Waste Discharge Permit which is regulated by the City of San Diego, Metropolitan Industrial Wastewater Control Program. Applications for a permit should be obtained from Metropolitan Industrial Wastewater Control Program.
- 5. The following fees will be required based on the Final Building Plans submitted. Please see reference to fee schedule at:
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 - b. Encroachment Permit
 - c. Grading Permit
- 7. All driveways shall conform to the City of Chula Vista's sight distance requirements in accordance with Section 18.32.080 of the Municipal Code. Also, landscaping, street furniture, or signs shall not obstruct the visibility of driver at the street intersections or driveways.
- 8. Proposed Fire Access Road shall meet H-20 Loading requirements or shall be designed for a Traffic Index (T.I.) of 5.
- 9. Demonstrate compliance with the current California Plumbing Code, minimum sewer grade (2%) from building to the sewer main.
- 10. Any private facilities, if applicable within public right-of-way or City easement will require an Encroachment Permit prior to Improvement Plan or building permit approval.
- 11. All construction sites are required to implement Construction BMPs in accordance with the performance standards outlined in Appendix K of the BMP Design Manual. In general:
 - a. For projects disturbing one (1) acre or more requires coverage under and compliance with the Construction General Permit (CGP), the construction BMPs must be identified in a Storm Water Pollution Prevention Plan (SWPPP).
 - b. For project that qualifies for an Erosivity Waiver under the CGP, a CSWPCP may be submitted in lieu of a SWPPP. However, if the Erosivity Waiver expires prior to project completion, the project applicant shall obtain a new Waste Discharge Identification number and submit a SWPPP.
- 12. A complete and accurate Notice-of-Intent (NOI) must be filed with the SWRCB for project covered under the CGP. A copy of the acknowledgement from the SWRCB that a NOI has been received for this project shall be filed with the City of Chula Vista when received.
- 13. Projects shall comply with the requirements of the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Dischargers Associate with Industrial Activities (IGP) Order 2014-0057-DWQ.

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- 16. All utilities serving the subject property and existing utilities located within or adjacent to the subject property shall be under grounded in accordance with the Chula Vista Municipal Code Section. Further, all new utilities serving the subject property shall be under grounded prior to the issuance of Building Permits.
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- 20. Based upon the required fire flow for Type VB construction type, a minimum of 1 fire hydrant(s) are/is required to serve this project.
- 21. Fire apparatus access roads shall be provided for every facility or building and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building.

II. The following on-going conditions shall apply to the subject property as long as it relies upon this approval.

- 22. The Applicant shall maintain the Project in accordance with the plans for CUP19-0004 approved on September 24, 2020, on file in the Development Planning Division, the conditions contained herein, and Title 19.
- 23. The Zoning Administrator shall have the authority to approve modifications to the site in accordance with Municipal Code regulations.
- 24. Approval of this Conditional Use Permit shall not waive compliance with all sections of Title 19 of the Municipal Code, and all other applicable City Ordinances in effect at the time of building permit issuance.

- 25. The Applicant and Property Owner shall and does hereby agree to indemnify, protect, defend and hold harmless City, its City Council members, officers, employees and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorney's fess (collectively, liabilities) incurred by the City arising, directly or indirectly, from (a) City's approval and issuance of this Conditional Use Permit, (b) City's approval or issuance of any other permit or action, whether discretionary or non-discretionary, in connection with the use contemplated herein, and the Applicant and Property Owner shall acknowledge their agreement to this provision by executing a copy of this Conditional Use Permit where indicated below. The Applicant and Property Owner's compliance with this provision is an express condition of this Conditional Use Permit and shall be binding on any and all of the Applicant and Property Owner successors and assigns.
- 26. If any of the foregoing conditions fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted, deny, or further condition issuance of all future building permits, deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted, institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation. The Applicant and Property Owner or a successor in interest gains no vested rights by the City's approval of this Conditional Use Permit.

APPROVED BY ZONING ADMINISTRATOR OF THE CITY OF CHULA VISTA, CALIFORNIA, this 24th day of September 2020.

Scott D. Donaghe Zoning Administrator